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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,262	02/06/2004	Hiroki Tamai	248571US6	4438

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

AMADIZ, RODNEY

ART UNIT	PAPER NUMBER
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2629

NOTIFICATION DATE	DELIVERY MODE
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08/13/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/772,262	Applicant(s) TAMAI ET AL.	
	Examiner Rodney Amadiz	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-11 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/26/07 & 3/6/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

2. Claim 5 objected to because of the following informalities: Please delete the word "device" in the phrase "confirmation button device" so as to avoid a lack of antecedent basis. Appropriate correction is required.
3. Claim 7 objected to because of the following informalities: Claim 7, line 7 recites "directions, the cursor keys". It should read: "directions, the cursor moving means". Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 5, 7, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleck et al. (U.S. Patent 6,977,811—herein referred to as "Fleck") in view of Goodman et al. (U.S. Patent 6,100,875—herein referred to as "Goodman").

As to **Claim 1**, Fleck teaches an information processing apparatus comprising: a display (**Fig. 1, Reference Number 108**); a main unit (**Figs. 1 and 3**) provided with a keyboard (**110**) having a plurality of operation keys including an enter key ("**return**" key); a pointing device configured to move a pointer appearing on the display in a desired direction (**Fleck—Fig. 3, Reference Number 300 and Col. 4, lines 42-45 and 50**); and a plurality of cursor keys (**Fig. 3, Reference Numbers 302, 304, 306 and 308**), the cursor keys being arranged near the pointing device (**Fig. 3—note the position of cursor keys relative to the pointing device and Col. 3, lines 10-28**); and a confirmation button (**300**) configured to confirm an item selected by said pointing device or said cursor keys (**Col. 4, lines 40-58**), the confirmation button being positioned near said cursor keys (**Fig. 3—note the position of cursor keys (302, 304, 306 and 308) relative to the confirmation button (300)**).

Fleck, however, fails to teach the cursor keys configured to move a cursor appearing on the display in predetermined directions. Examiner cites Goodman to teach cursor keys configured to move a cursor appearing on the display in predetermined directions (**Fig. 1a, Reference Numbers 110, 112, 114 and 116 and Col. 3, lines 45-67**). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate the functions of cursor keys (i.e. moving a cursor on a display screen) as taught by Goodman in the information processing apparatus taught by Fleck in order to perform mouse-like operations without the necessity of a flat, steady surface (**Goodman—Col. 1, lines 56-62**).

As to **Claim 7**, Fleck teaches an information processing apparatus comprising: a display (**Fig. 1, 108**); a main unit (**Figs. 1 and 3**) provided with a keyboard (**110**) having a plurality of operation means (**Fig. 3 note section 110**) for inputting an operation command including enter means for inputting an enter command ("**return**" key); pointing means for moving a pointer appearing on the display in a desired direction (**Fig. 3, Reference Number 300 and Col. 4, lines 42-45 and 50**); cursor moving means (**Fig. 3, Reference Numbers 302, 304, 306 and 308**) for moving a cursor appearing on the display in predetermined directions, the cursor moving means being arranged near the pointing device (**Fig. 3—note the position of cursor keys relative to the pointing device and Col. 3, lines 10-28**); and confirmation means (**300**) for confirming an item selected by said pointing means or said cursor moving means (**Col. 4, lines 40-58**), the confirmation means positioned near said cursor moving means (**Fig. 3—note the position of cursor keys (302, 304, 306 and 308) relative to the confirmation button (300)**)).

Fleck, however, fails to teach the cursor moving means configured to move a cursor appearing on the display in predetermined directions. Examiner cites Goodman to teach cursor keys configured to move a cursor appearing on the display in predetermined directions (**Fig. 1a, Reference Numbers 110, 112, 114 and 116 and Col. 3, lines 45-67**). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate the functions of cursor keys (i.e. moving a cursor on a display screen) as taught by Goodman in the information

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processing apparatus taught by Fleck in order to perform mouse-like operations without the necessity of a flat, steady surface (*Goodman—Col. 1, lines 56-62*).

As to Claims 2 and 8, Fleck, as modified by Goodman, teaches the cursor keys arranged along the periphery of the pointing device such that the pointing device is at the center of the cursor keys (*Fig. 3—note the position of cursor keys relative to the pointing device and Col. 3, lines 10-28*).

As to Claims 5 and 10, Fleck teaches that the confirmation button/means (300) confirms an item selected by said pointing device/means or said cursor keys/moving means by being pressed (*Col. 4, lines 40-58*).

6. Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleck and Goodman as applied to claims 1, 2 and 4 above, and further in view of Boehme et al. (U.S. Patent 6,512,670—herein referred to as “Boehme”).

As to Claims 3 and 9, Fleck, as modified by Goodman, teaches a display unit having a display housing on which the display is provided (*Fig. 1, Reference Number 108 and note the housing it is in*); and a hinge unit which connects the display unit and the main unit such that the display unit can pivot to open and close the **keyboard** (*Fig. 1, note Hinge Unit between the display unit and the main unit*), wherein the pointing device and the cursor keys are positioned near one end of the information processing apparatus along the axis of the hinge in an area between the display unit and the keyboard (*Figs. 1 and 3—note position of pointing device 300 and cursor*

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keys 302-308 along the axis of the hinge and between the display unit and the keyboard).

Fleck, as modified by Goodman, however, fails to teach the hinge unit including a hinge barrel and hinge pins disposed in the hinge barrel. Examiner cites Boehme et al. to teach an information processing apparatus having a hinge unit including a hinge barrel and hinge pins disposed in the hinge barrel (**Figs. 5-6 and Col. 4, lines 4-35**). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate the use of a hinge unit as taught by Boehme et al. in the information processing apparatus taught by Fleck in order to be able to detach the display from the main unit (**Boehme et al.—Col. 4, lines 4-35**).

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fleck and Goodman and Boehme applied to claims 1-3, 5 and 7-10 above, and further in view of Bhatia (U.S. Patent 6,288,895—hereinafter “Bhatia”).

As to **Claim 6**, Fleck, as modified by Goodman and Boehme, fails to teach air outlets arranged in a backside of said main unit. Examiner cites Bhatia to teach an air outlet arranged in a backside of a main unit (**Figs. 1 an 4a-4d, air outlets 29 and Col. 3, lines 8-12 and Col. 4, lines 18-19**). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate an air outlet in the back side of a main unit as taught by Bhatia in the information processing apparatus taught by Fleck, as modified by Goodman and Boehme, in order to cool the apparatus by removing heat from the heat generating components (**Bhatia—Col. 1, lines 13-17**).

Bhatia, however, fails to specifically teach more than one air outlet arranged on the backside of the main unit. Therefore, Examiner cites *St. Regis Paper Co. V. Bemis Co., Inc.*, 193 USPQ 8, 11 (7TH Cir. 1977) to teach that it is well known to duplicate parts to obtain a multiplied effect. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to provide several air outlets, as supported by the case law above, in the information processing unit taught by Fleck, as modified by Goodman, Boehme and Bhatia, in order to cool the device more quickly.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fleck and Goodman as applied to claims 1, 2, 5, 7, 8 and 10 above, and further in view of Bhatia.

As to **Claim 11**, Fleck, as modified by Goodman and Boehme, fails to teach air outlets arranged in a backside of said main unit. Examiner cites Bhatia to teach an air outlet arranged in a backside of a main unit (***Figs. 1 an 4a-4d, air outlets 29 and Col. 3, lines 8-12 and Col. 4, lines 18-19***). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate an air outlet in the back side of a main unit as taught by Bhatia in the information processing apparatus taught by Fleck, as modified by Goodman, in order to cool the apparatus by removing heat from the heat generating components (***Bhatia—Col. 1, lines 13-17***).

Bhatia, however, fails to specifically teach more than one air outlet arranged on the backside of the main unit. Therefore, Examiner cites *St. Regis Paper Co. V. Bemis Co., Inc.*, 193 USPQ 8, 11 (7TH Cir. 1977) to teach that it is well known to duplicate parts

to obtain a multiplied effect. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to provide several air outlets, as supported by the case law above, in the information processing unit taught by Fleck, as modified by Goodman, Boehme and Bhatia, in order to cool the device more quickly.

Response to Arguments

9. Applicant's arguments filed June 25, 2007 have been fully considered but they are not persuasive. Although the Examiner has taken a different position in the Office Action above, it should be clarified that there is no clear distinction in the claim that distinguishes the "enter" key and the "confirmation" button as two distinct buttons as argued.

10. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. The newly defined "confirmation button" has led the Examiner to reinterpret the claim language.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney Amadiz whose telephone number is (571) 272-7762. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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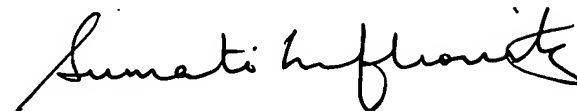
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Division 2629



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